

### REMARKS

Reconsideration and allowance of the present application based on the foregoing amendments and following remarks are respectfully requested.

By this Amendment, the specification, FIG. 3 and claims 10, 11 and 16 are amended. Claims 10 and 16 have been amended to correct a minor clerical mistake. No new matter has been added. After entry of this Amendment, claims 1-22 will remain pending in the patent application.

#### **I. Drawings**

The drawings were objected to because of an informality noted in the Office Action. In response, Figure 3 has been amended in the manner suggested by the Examiner, and a replacement sheet is submitted herewith. Accordingly, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

#### **II. Specification**

The disclosure was objected to by the Examiner. In connection with the objection, the Examiner indicated that the phrase "...compares the connection attributes of access points with the same network name as the currently serving access point...", on page 11, lines 5-6, is redundant. In response, the term "same" has been replaced by --different--. No new matter has been added. Applicant notes that the amendment to the disclosure obviates the rejection. Accordingly, reconsideration and withdrawal of the objection to the disclosure are respectfully requested.

#### **III. Claim Objections**

Claim 11 was objected to because of an informality noted in the Office Action. In response, claim 11 has been amended following the Examiner's instruction. Accordingly, reconsideration and withdrawal of the objection to claim 11 are respectfully requested.

#### **IV. Claim Rejection – 35 U.S.C. §102**

Claims 1-22 were rejected under 35 U.S.C. §102(b) based on Belanger *et al.* (U.S. Pat. No. 5,875,186) ("Belanger"). The rejection is respectfully traversed.

Claim 1 is patentable over Belanger at least because this claim recites a method comprising, *inter alia*, selecting a first access point with best connection attributes from among the available access points having a network name that matches a currently serving access point, selecting a second access point with best connection attributes from among the available access points having a different network name than the currently serving access point, and comparing one or more connection attributes of the first access point and the second access point. Belanger does not describe a method including at least these features. Therefore, Belanger does not describe each and every feature recited by claim 1 and, as a result, cannot anticipate this claim.

Belanger discloses that, when a mobile unit enters a wireless local area network, it finds an access point by scanning frequencies and then attempts to register with the found access point unit. (See col. 24, lines 43-45). Belanger also discloses that each access point has a different network identifier (NETID). (See col. 24, lines 40-42). Belanger further discloses that if the mobile unit cannot send messages reliably to its current access point, it registers with a new access point. (See col. 24, lines 53-56, and col. 25, lines 4-13). In Belanger, a change to another access point is based on the degradation in quality of service provided by the currently serving access point. (See col. 26, lines 3-7).

However, Belanger is silent about selecting a first access point with best connection attributes from among the available access points having a network name that matches a currently serving access point. In fact, Belanger may be said to teach away from such a feature because, in Belanger, each access point has a different network identifier.

Belanger is also silent about selecting a second access point with best connection attributes from among the available access points having a different network name than the currently serving access point. In other words, Belanger does not disclose selecting a second access point, which has a different network name than the first access point, when the mobile unit operates with the first serving access point. Belanger only teaches that if a mobile unit roams, *i.e.*, travels to another area, it scans the frequencies and then attempts to register with an access point found based on frequency scanning. (See col. 26, lines 3-18).

Furthermore, Belanger is silent about comparing one or more connection attributes of the first access point (selected from among the access points having a network name that matches the currently serving access point) and the second access point (selected from among the access points having a different network name than that of the currently serving access

point). All that is disclosed in Belanger is that the information in the table of an access point unit may be used to determine best candidates for roaming. (See col. 24, lines 53-56).

Claims 2-8 are patentable over Belanger by virtue of their dependency from claim 1 and for the additional features recited therein. Claims 9 and 16 are patentable over Belanger for the same reasons given above related to claim 1 and for the additional features recited therein. Claims 10-15 are patentable over Belanger by virtue of their dependency from claim 9 and for the additional features recited therein. Claims 18-22 are patentable over Belanger by virtue of their dependency from claim 16 and for the additional features recited therein.

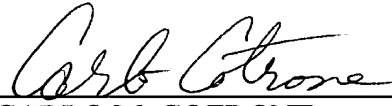
Accordingly, reconsideration and withdrawal of the rejection of claims 1-22 under 35 U.S.C. §102(b) based on Belanger are respectfully requested.

**V. Conclusion**

The objections and rejection having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,  
PILLSBURY WINTHROP LLP

By:   
CARLO M. COTRONE  
Reg. No. 48715  
Tel. No. (703) 905-2041  
Fax No. (703) 905-2500

CMC/CFL  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000

Attachment: Replacement Sheet